

INDIANA EMERGENCY RESPONSE COMMISSION (IERC) MEETING
America Science Park
821 South Lake Road South
Scottsburg, IN 47170
March 10, 2014 1:30 P.M.

WELCOME AND INTRODUCTION

Chairman John Hill welcomed everyone to the meeting and requested determination of a quorum.

COMMISSION MEMBERS PRESENT

John Hill—State Government
James Greeson—State Government
Bernie Beier—Local Government
Shawn French—Industry Representative

Bruce Palin—State Government
Chad Hilton—State Government
Dean Larson—Public Representative
James Pridgen—Industry Representative

The following Commission member was absent:

Brian Lott—Local Government
Carol Shelby—Public Representative

QUORUM

LEPC Coordinator Ashley Holcomb indicated a quorum was present.

The following members of the audience were present:

Shannon Gillespie- Madison State
Hospital/Jefferson County LEPC
James Plum- Jefferson County LEPC
Tina Rice- Scotty County LEPC
James Richey- Scott County LEPC
Daniel Paden- Scottsburg Fire Dept.
David Murphy- Scott County LEPC
Rick Emerick- Orange County LEPC
Al Rigglo-Scott County LEPC

Duane Davis- Jackson County LEPC
Jackie Benham- Scott County LEPC
Yvonne Dowd- Scotty County LEPC
Carol Richey- Scott County EMA/LEPC
Dan McClain- Scott County Sheriff
Craig Smith- Scott County LEPC
Bill Bonta- Scott County LEPC
Laura Dresen- IDHS
Doug Cooke- IDHS

CONSIDERATION OF THE MINUTES

A motion to approve the minutes from the January 13, 2014, meeting was made by Mr. French and seconded by Mr. Hilton, as amended with a change of the word “technical” to the word “training” on the second page, third paragraph of the Training Committee report. **MOTION CARRIED**

COMMITTEE REPORTS

Report of the Chair—John Hill

Mr. Hill spoke of ensuring there is a process in place that allows Ian and/or Ashley to follow through on “action items” from prior meetings. He also discussed the possibility of moving the Commission meetings to locations around the state so others may attend.

Communication Committee— No Report

Policy/Technical Committee— James Pridgen/Dean Larson, Co-Chairs

Mr. Pridgen reported that the committee met earlier that morning and had several items to bring to the Commission for consideration and approval.

1. LEPC Planning and Training Resources guide—The committee introduced and LEPC Planning and Resources Guide for approval and proposed to combine the lists of approved planning and training vendors into one combined list.

Ms. Snyder discussed the Indiana code regarding LEPCs contracting with LEPC members and that the guidance document addressed these statutory requirements.

Mr. Pridgen indicated that the guidance document provides for the IERC field representative to be checking for these compliances.

Mr. Greeson asked if there had been prior issues with not having a published and approved list of planning and training vendors.

Mr. Pridgen explained how the guidance document will eliminate these issues.

Mr. Hill asked about the document just covering planning services and questioned the process for those who have already contracted with an LEPC and are not on the approved list.

Mr. Pridgen explained that the committee will handle those situations on a case by case basis.

Mr. Beier expressed his concern on the proposed planning guidance document and its effects as it relates to the cost of conducting these activities and taking away the opportunity of conducting the projects from the local communities.

2. Mr. Larson proposed moving the due dates for the submission of the LEPC bylaws from December to March, to move the submission date for meeting minutes and sign in sheets from December to sixty days after the meeting, and to move the submission date of the annual exercise proposal to 60 days before the exercise.
3. Appointment of Mr. Larson to be Communications Committee Chair.

Motion to approve the LEPC Planning and Training Resources Guide was made by Mr. Larson, seconded by Mr. Hilton, with 1 nay vote from Mr. Beier. **MOTION CARRIED.**

Motion to approve the change to the LEPC reporting calendar was made by Mr. Larson, seconded by Mr. French. **MOTION CARRIED.**

Motion to approve Mr. Larson as the Communications Committee Chair made by Mr. Pridgen and seconded by Mr. Beier **MOTION CARRIED.**

4. Mr. Ewusi requested approval for a grant to provide seed money to the Fayette County LEPC for the start up of their LEPC. He noted the current balance of the LEPC is \$340.00 and an accounts audit indicated that their disbursements were all justified during their active status period.

Mr. Pridgen requested that the grant be for an amount not to exceed \$5,000 and noted that this process, including the same amount, had been done in the past.

Ms. Snyder recommended having IDHS provide an MOU for documentation of this disbursement from the IERC budget.

Motion to approve the distribution of seed money to the Fayette County LEPC was made by Mr. Pridgen and seconded by Mr. Larson **MOTION CARRIED.**

Mr. Pridgen requested a payment of \$5,000 to be provided for the IERC conference as the Commission has done for past conferences.. Motion made by Mr. Pridgen and seconded by Mr. Larson. **MOTION CARRIED.**

Training Committee— Brian Lott, Chair-No Report

Fiscal Committee— Bruce Palin, Chair

Mr. Palin discussed the balance of the Commission's current fiscal account and that he had asked for clarification on items listed on the account balance.

ROSTER APPROVALS

Brown	Harrison	Martin	Sullivan
Clay	Henry	Miami	Tippecanoe
Clinton	Howard	Newton	Tipton
Decatur	Jasper	Ohio	Union
DeKalb	Jay	Orange	Vanderburgh
Fayette	Jefferson	Pike	Wabash
Franklin	Knox	Posey	Warrick
Fulton	Kosciusko	Putnam	Washington
Gibson	LaPorte	Ripley	Wells
Grant	Madison	Rush	Whitley
Hamilton	Marion	Shelby	
Hancock	Marshall	Spencer	

Motion to approve rosters submitted made by Mr. Larson seconded by Mr. Hilton **MOTION CARRIED.**

OLD BUSINESS

No items

NEW BUSINESS

Ms. Snyder advised that the biennial ethics training that will be coming up in mid to late April and that some changes had been made to the draft MOU for the reallocation of funds for the LAG program.

Motion to accept the revision of the MOU is made by Mr. Larson, seconded by Mr. French. **MOTION CARRIED.**

Ms. Snyder recommended that the Commission approve the use of the iGMS system for the management and disbursement of the LAG program funds. Chairman Hill advised that the issue would be addressed as soon as the impact on LEPCs of using the iGMS system was evaluated.

REPORT OF THE FIELD REPRESENTATIVE-Ian Ewusi

Report on activities since the last IERC meeting on January 13, 2014, held in Indianapolis, Indiana.

FOLLOW-UP FROM PREVIOUS MEETING

Status of LEPC Assistance Grant Program Applications—He contacted the 4 applicants on the Commission's decision about their applications.

- Marion County LEPC—Commission approved the application pending receipt of an official acknowledgement letter from the assisted county. Marion County LEPC has provided the letter, and he furnished DHS Legal staff with the full application packet for guidance to proceed.
- Fountain County LEPC—Commission requested that the LEPC provide a budget breakdown of the funding request. The budget breakdown has been submitted for IERC consideration, and Legal has been furnished the full application packet for guidance to proceed in the event it is approved.
- Steuben County LEPC—Commission withheld approval until application documents were provided indicating the specific assisted county. After receiving the IERC request, the LEPC decided to withdraw its application until a determination could be made.

- Morgan County LEPC—Commission withheld approval until application documents were provided indicating the specific assisted county. After receiving the IERC request, the LEPC decided to withdraw its application.

IERC Meetings to Be Hosted by LEPCs—He finalized the list of potential IERC meeting locations/LEPC hosts for 2014. Below are the first-choice hosts and runners-up in case the hosting LEPCs are unable to do so.

	COUNTY	CITY	DATE	PREVIOUS HOST	CHOICE
NORTHERN	Fountain	Covington	May	No	1 st
	Fulton	Rochester	May	No	2 nd
CENTRAL	Shelby	Shelbyville	July	No	1 st
	Madison	Anderson	July	No	2 nd
SOUTHERN	Ripley	Versailles	September	No	1 st
	Jackson	Seymour	September	Yes	2 nd

The commission agreed to go to Fountain County in May, Shelby County in July, and Ripley County in September.

LEPC ACTIVITIES

Meetings Attended (12 Counties—formerly inactive LEPCs indicated by *)

Benton *	Fayette* (2x)	Howard	Martin*
Clay*	Fountain	Madison	Morgan
Decatur* (2x)	Hamilton	Ohio	Newton*

Inactive-to-Active Status Review

COUNTIES	AUDIENCE / APPROACH	DATE	RESULTS	STATUS
Clay	EMA Director	2/17/14	Legal notice published roster and fiscal reports submitted. Rescheduled on 3/4/14 due to emergency	Active
Decatur	County Commissioners Meeting/ Legal Meeting	2/17/14 2/19/14	Meeting dates and roster submitted	Active
Fayette	EMA Director/ Legal Meeting	1/30/14 2/21/14	Legal notice published, roster and fiscal reports submitted. 1 st meeting held 2/21/14	Active
Hancock	Legal Meeting	1/23/14	Legal notice published, roster and fiscal reports submitted. 1 st meeting held 1/23/14	Active
Martin	County Officials/ LEPC Meeting	2/17/14	Legal notice published, roster and fiscal reports submitted. 1 st meeting held 2/19/14	Active

Newton	Legal Meeting	3/3/14	Roster and fiscal reports submitted. 1 st meeting held 3/3/14	Active
Scott	County Officials/ LEPC Meeting	11/22/13 12/8/13	Legal notice published, roster and fiscal reports submitted. 1 st meeting held 2/19/14	Active
Orange	EMA Director	2/13/14	1 st meeting held 3/6/14 (Ashley)	Active
Benton	County Commissioners Meeting	2/4/14	Unlikely to become active this year. County hopes to rely on Tippecanoe hazmat service	Inactive
Crawford	EMA Director	2/14/14	Tentative meeting set by former chair. Requested to keep current roster.	Inactive
Cass	Message Left	2/2014	Awaiting response	Inactive
Blackford	Messages Left	2/2014	Awaiting response	Inactive
Starke	Planned Contact	3/2014	Pending	Inactive

2013 Compliance Status for 2014 Funding Year

77 out of 92 LEPCs (84%) completed and submitted all funding requirements in accordance with IC 6-6-10. This represents a 7% increase from last year's performance (from 72 to 77), and he expects another significant increase in compliance this year. The current online reporting system has greatly enhanced LEPC compliance reporting by simplifying the process, generating automated submission receipts, and facilitating instant feedback to users. He continues to work with IDHS' IT section to improve the online reporting system.

The following LEPCs will not be funded due to incomplete or lack of compliance submissions. See attached maps for funding status by county for prior two funding years.

County	Reason for Non-Funding
Benton	Inactive (no compliance documents submitted)
Blackford	Inactive (no compliance documents submitted)
Clay	Inactive (no compliance documents submitted)
Crawford	Inactive (no compliance documents submitted)
Fayette	Inactive (no compliance documents submitted)
Hancock	Inactive (no compliance documents submitted)
Martin	Inactive (no compliance documents submitted)
Newton	Inactive (no compliance documents submitted)
Orange	Inactive (no compliance documents submitted)
Starke	Inactive (no compliance documents submitted)
Cass	Submitted legal notice only
Decatur	Submitted fiscal report and noncompliant minutes only
Huntington	No plan updates; noncompliant bylaws, legal notice, and minutes submitted
Scott	Submitted noncompliant roster only

Vigo	No exercise reports submitted
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PROPOSED PROJECTS

1. Audits of LEPC fiscal reports in accordance with IC 6-6-10-7(b)—His annual audit indicated that several LEPCs need guidance on the appropriate use of LEPC funds. He currently is working to address certain questionable expenditures and some LEPC account balances that do not match with IERC files on their account history. Benton and Delaware Counties' account balances a two of the balances of concern. He is requesting the Commission's direction on how to proceed in cases where LEPC expenditures were not in compliance with state statutes.
2. Workshops on LEPC plan writing/updating in accordance with IC 13-25-1 & IC 13-25-2-5—His annual review of the emergency response plans of all 72 compliant LEPCs indicated that many LEPCs need assistance with developing effective and consistent plans as prescribed by the statutory requirements. He will continue to evaluate each plan submitted and provide comments to assist LEPCs, but an educational workshop on plan writing specifically designed for LEPCs would be very helpful.
3. Workshops for LEPC Chair orientation—He would like to schedule several orientation workshops for LEPC Chairs to reiterate LEPC operational requirements as they relate to IC 13-25-1 and the obligations thereof. This will also be a means of presenting the parameters of compliance requirements and appropriate funding expenditures as well as available grant opportunities.

TRAINING—2014

Emergency Planning and Community Right-to-Know (EPCRA)-5 completed

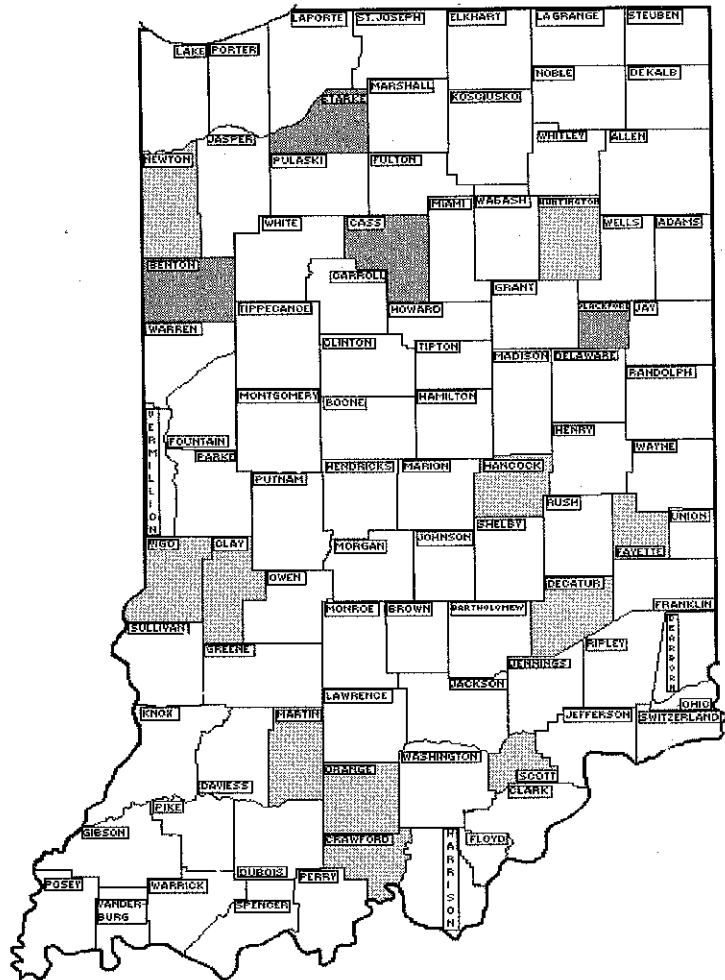
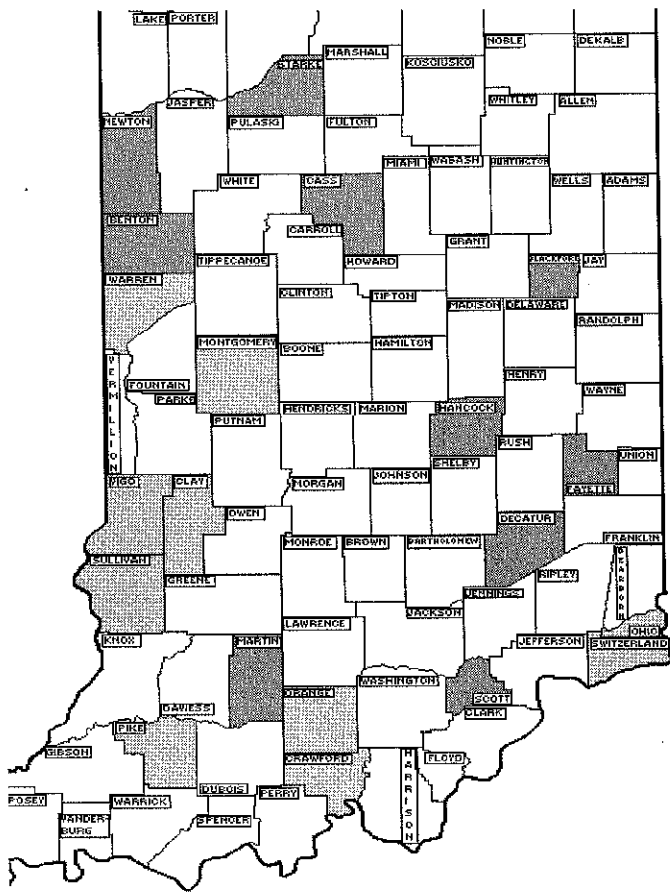
- o Marshall County, Plymouth—January 14, 2014 (27 facility representatives)
- o Gibson County, Princeton—January 17, 2014 (16 facility representatives)
- o Marion County, IGCS—January 27, 2014 (4 facility representative and 5 webinar participants)
- o Elkhart County, Elkhart—January 31, 2014 (Chamber of Commerce, 10 members)
- o Marion County, Lawrence—February 11, 2014 (Indiana Risk Coordinator Group, 10 members)

SPILL REPORTS—2014 (EPCRA Section 304)

<i>County</i>	<i>Month</i>	<i>No. of Reports</i>	<i>Facility</i>	<i>Chemical</i>	<i>Quantity</i>
Lake	February	3	BP Amoco	Sulfuric Dioxide	8500 lbs
				Sulfuric Dioxide	6900 lbs
				Sulfuric Dioxide	500 lbs

2013 FUNDING/COMPLIANCE MAP
FUNDING/COMPLIANCE MAP

2014



COLOR CODE	UNFUNDED (based on prior year compliance activities)	2013 (for 2012 activities)	2014 (for 2013 activities)
	INACTIVE	10	4
	NONCOMPLIANT	10	11
		20	15

Unshaded counties are active, compliant, and therefore funded for the indicated funding period

LEPC COMMENTS

Jim Plum announced his retirement and thanked all those with whom he had worked.

Dan McClain, Scott County, addressed becoming an active LEPC and discusses challenges with the upcoming changes to the railroads.

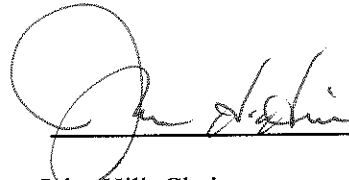
Rick Emerick, Orange County, stated that when becoming an active LEPC, an orientation would be helpful for those positions involved.

NEXT MEETING

May 12, 2014, 1:00 pm
Beef House Covington
16501 N State Road 63
Covington, IN 47932

ADJOURNMENT

Chairman Hill adjourned the meeting at 3:06 P.M.



John Hill, Chair